UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

PENNY GUETTI and MICHAEL GUETTI, Plaintiffs)	2.3. 2.3.1 - 1.4.3.
v. GUY R. CARIDDI, CARIDDI AUTO AGENCY, KAREN SUMMER and JOHN DOE a/k/a "Butch," Defendants)))))))	Docket No. 04-30027-MAP

DEFENDANTS GUY CARIDDI AND KAREN SUMMER'S MOTION TO DISMISS COMPLAINT

Now come defendants Guy Cariddi (hereinafter "Cariddi") and Karen Summer (hereinafter "Summer") who hereby move this Court, pursuant to Fed. R. Civ. P. 12(b)(1), to dismiss the complaint of plaintiffs Penny Guetti and Michael Guetti (hereinafter "the Guettis") on the grounds that this Court lacks jurisdiction over the subject matter of this action under 28 U.S.C. §1332(a), insofar as the amount in controversy does not exceed the sum or value of \$75,000.

WHEREFORE, on grounds more fully set forth in the memorandum of law attached hereto, Cariddi and Summer request that the Guettis' complaint be dismissed.

Cariddi and Summer further request an award of their costs incurred in defending this action and prosecuting this motion, pursuant to Fed. R. Civ. P. 11 and Mass. G. L. c.231, §6F.

Dated: April 2___, 2004

THE DEFENDANTS

GUY CARIDDI and KAREN SUMMER

By their attorneys,

Douglas J. Rose BBO No. 629080

For Donovan & O'Connor, LLP

1330 Mass MoCA Way North Adams, MA 01247

Tel: (413) 663-3200

Fax: (413) 663-7970

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